

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.
)	
THIRTY-SEVEN THOUSAND, ONE)	
HUNDRED NINETY-TWO DOLLARS)	
AND EIGHTY-EIGHT CENTS)	
(\$37,192.88) SEIZED FROM REGIONS)	
BANK, ACCOUNT, ...9626, and)	
)	
FIVE THOUSAND, SEVEN HUNDRED)	
NINETY-TWO DOLLARS AND)	
SIXTY-TWO CENTS (\$5,792.62))	
SEIZED FROM REGIONS BANK,)	
ACCOUNT # ...3078,)	
)	
Defendants.)	

VERIFIED COMPLAINT OF FORFEITURE

Comes now plaintiff, United States of America, by and through its attorneys, Richard G. Callahan, United States Attorney for the Eastern District of Missouri, and Jennifer A. Winfield, Assistant United States Attorney, for said district, and in a civil cause of action for forfeiture respectfully states as follows:

1. In this in rem civil action the United States seeks forfeiture of certain property, currently in the possession and custody of the plaintiff pursuant to the provisions of Title 21, United States Code, Section 881.

2. Subject Matter Jurisdiction of this Court is based on Title 28, United States Code, Sections 1345, 1355(a), and Title 21, United States Code, Section 881. In Rem jurisdiction is based on Title 28, United States Code, Section 1355. Venue is proper in this district pursuant to

Title 28, United States Code, Section 1355 & 1395 and Title 21, United States Code, Section 881(j).

3. The defendant property was furnished or intended to be furnished in exchange for controlled substances in violation of the Controlled Substances Act, Title 21, United States Code, Section 801 et seq., was proceeds traceable to such an exchange, and was used or intended to be used to facilitate such an exchange. The defendant property is therefore subject to forfeiture to the United States of America, under the provisions of Title 21, United States Code, Section 881 (a)(6).

4. The defendant property was seized in the Eastern District of Missouri and is now, and during the pendency of this action will be in the jurisdiction of this court.

5. On or about May 22, 2012, the defendant currency was seized from Dr. Harry A. Osaghaemorgan by the Drug Enforcement Agency. The defendant currency is more particularly described as follows:

- a. \$37,192.88 U.S. Currency seized from Regions Bank, Account # ...9626
- b. \$5,792.62 U.S. Currency seized from Regions Bank, Account # ...3078

6. The plaintiff alleges the defendant property is subject to forfeiture and for its reasons states as follows:

7. An investigation conducted by the Drug Enforcement Agency has identified Dr. Harry A. Osaghaemorgan as being involved in illegally distributing controlled substances by writing prescriptions outside the normal course of professional practice and not for legitimate medical purposes. According to the Missouri Board of Healing Arts, Dr. Osaghaemorgan is licensed as a Medical Physician and Surgeon, with no described specialty. Dr. Osaghaemorgan is a General

Practitioner at Doctor's Medical Center. Doctor's Medical Center is a pain management clinic located in 2015 Smizer Station Road.

8. Investigators have utilized source information, law-enforcement surveillance operations, statements made by individuals as part of this investigation, and other investigative procedures to identify the extent of Dr. Osaghaemorgan's illegal activities.

9. The investigation has revealed that Dr. Osaghaemorgan writes prescriptions for controlled substances without a legitimate medical need and receives cash in return for a controlled substance prescription. The Drug Enforcement Agency has been investigating Dr. Osaghaemorgan's prescriptions for various controlled substances which primarily includes, but is not limited to, Oxycodone.

10. On January 30, 2012, investigators received information from a pharmacy regarding a high quantity of prescriptions being received from Dr. Osaghaemorgan. The high dosage units and the combinations prescribed were indicative of prescribing scheduled narcotics outside the course of normal medical practice. Additionally, investigators found that the persons receiving the prescriptions were mostly from out-of-town (as far away as Tennessee), and the patients had paid \$295.00 U.S. Currency for each office visit with Dr. Osaghaemorgan. Moreover, during the patient interviews, some patients admitted to regularly abusing Oxycodone and they stated that they had visited the Doctor's Medical Center on numerous occasions to obtain narcotic prescriptions from Dr. Osaghaemorgan.

11. Pursuant to the information developed during the investigation, on May 22, 2012, Federal Seizure Warrants were executed on Dr. Osaghaemorgan's Regions Bank accounts. The Drug Enforcement Agency seized \$37,192.88 from Regions Bank account #....9626, and \$5,792.62 from Regions Bank account #....3078, both belonging to Dr. Osaghaemorgan.

12. The only person known to have a possible interest in the defendant property is Dr. Osaghaemorgan.

13. By reason of these premises, the defendant property is subject to forfeiture to the United States, pursuant to the provisions of Title 21, United States Code, Section 881.

WHEREFORE, Plaintiff prays that a Warrant for Arrest be issued for the defendant property and the defendant property be condemned and forfeited to the United States of America, in accordance with the provisions of law; and that the plaintiff be awarded its costs in this action, and have such other relief as provided by law and the nature of the case may require.

Respectfully submitted,

RICHARD G. CALLAHAN
United States Attorney

/s/ Jennifer A. Winfield
JENNIFER A. WINFIELD, #53350MO
Assistant United States Attorney
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St. Louis, Missouri 63102
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VERIFICATION

I, Special Agent Nicole Krieg, hereby verify and declare under penalty of perjury that I am a Special Agent with the United States Drug Enforcement Agency, that I have read the foregoing Verified Complaint *in rem* and know the contents thereof, and that the matters contained in the Verified Complaint are true to my own knowledge, except that those matters herein stated to be alleged on information and belief and as to those matters I believe them to be true.

The sources of my knowledge and information and the grounds of my belief are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Special Agent of the Drug Enforcement Agency.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 07-12-13
(date)


NICOLE KRIEG
Special Agent
Drug Enforcement Administration